

**ASSEMBLY BILL**

**No. 424**

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**Introduced by Assembly Member Torres**

February 23, 2009

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An act to add Section 22761 to the Business and Professions Code, relating to telephones.

LEGISLATIVE COUNSEL'S DIGEST

AB 424, as introduced, Torres. Telephone sales: disclosures.

Existing law makes it unlawful to sell any cordless telephone manufactured after January 1, 1992, that does not provide increased protection from unintentional line seizure and dialing, and protection from unintentional ringing. Existing law also requires sellers of specified telephone equipment to disclose whether the equipment employs pulse, tone, pulse-or-tone, or other signaling methods, and to provide a general description of the services it can or cannot access.

This bill would require sellers of wireless telephone handsets within the state to disclose, orally and in writing, whether the handsets provide Enhanced 911 requirements, as specified by the Federal Communications Commission.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 22761 is added to the Business and
- 2 Professions Code, to read:
- 3 22761. (a) Any person selling a wireless telephone handset
- 4 within this state shall prominently disclose whether the handset

1 provides E911, including specifically whether the handset provides  
2 automatic location identification for an emergency call and a  
3 dialable callback number for an emergency response, as provided  
4 by the Federal Communications Commission in the Third Report  
5 and Order in Docket 94-102, FCC 99-245, September 15, 1999.  
6 The disclosure shall be made both orally and in writing as part of  
7 the sales communication, and in the same language as the sales  
8 communication.

9 (b) As used in this section, “E911” means the Enhanced 911  
10 requirements as established by the Federal Communications  
11 Commission in Docket 94-102 and subsequent dockets. E911  
12 specifically includes the capability to provide automatic location  
13 identification to the public safety answering point, as established  
14 by Phase II of that docket, and the provision of a dialable callback  
15 number, as established by Phase I of that docket.